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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,449	07/11/2001	Hawley K. Rising III	020699-002100US	9713

7590

08/23/2004

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EXAMINER

CORRIELUS, JEAN M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/904,449	RISING, HAWLEY K.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jean M Corrielus	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 2172:

### **DETAILED ACTION**

1. This is a response of the amendment filed on November 28, 2003, in which claims 1-22 are presented for further examination.

#### ***Response to Arguments***

2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action has been vacated in light of a new ground of rejection.

#### ***Information Disclosure Statement***

3. The information disclosure statement filed November 28, 2003 and April 5, 2004 complies with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2172:

5. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seagraves US Patent No. 5,652,880 and Beller US Patent no. 5,852,819.

As to claim 1, Seagraves discloses the claimed □determining a match for the entity in the concept□ as a means for creating an inventory of related objects related to object of interest, wherein the inventory including information about the object themselves as well as relationship information about the relationship to the object of interest (col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61); □determining a match for a relationship the entity has with the concept□ as a means for developing an arrangement of the inventory making use the related object themselves and creating an inventory of related objects related to object of interest, wherein the inventory including information about the object themselves as well as relationship information about the relationship to the object of interest (col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61); and □building a graph that links the entity to a portion of the concept to produce a description of the audiovisual information□ as a means for simplifying the arrangement for presentation by intelligently grouping the inventory into groups determined at least in about the related object and displaying the arrangement (col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

However, Seagraves does not disclose the claimed features “wherein the entity describes a non-relational part of a semantic description, and the concept is a collection of properties of the audiovisual information”.

On the other hand, Beller discloses a hierarchical architecture for building and maximizing the accuracy of predictive models, which is a mathematical structure that simulates

Art Unit: 2172:

human learning by providing advanced non-relational query processing capabilities. Beller discloses the use of auditory visual signals, which identify an entity represented by a datum, such as using a series of words to describe what another datum means. Beller also provides the use of suitable representations of other meaningful data relationships (col.1, lines 8-65). In particular, Beller discloses the claimed “wherein the entity describes a non-relational part of a semantic description, and the concept is a collection of properties of the audiovisual information” (col.22, lines 25-32). It would have been obvious to one having ordinary skill in the art the time the invention was made to combine the teachings of the cited references. One having ordinary skill in the art at would have found it motivated to utilize the teaching of Beller into the system of Seagraves because that provide Seagraves the enhanced capability of describing a non-relational part of a semantic description, whereby the concept of the semantic description is from a group of audiovisual information.

As to claim 2, Seagraves discloses the claimed □storing an abstract of the description for the use as a template□ as a means for storing data relevant to the links themselves (col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 3, Seagraves discloses the claimed □storing the abstract in at least one of a classification scheme and a dictionary□ (col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 4, Seagraves discloses the claimed □providing entities describing non-relational parts of the semantic description, the entities including a concept having a collection of properties □ (col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61; col.12, lines 30-65); and □referencing an interior structure of the concept from all entities in the semantic description□(col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61). However, Seagraves does not disclose the claimed features “describe an arbitrary structure related to the audiovisual information”.

On the other hand, Beller discloses a hierarchical architecture for building and maximizing the accuracy of predictive models, which is a mathematical structure that simulates human learning by providing advanced non-relational query processing capabilities. Beller discloses the use of auditory visual signals, which identify an entity represented by a datum, such as using a series of words to describe what another datum means. Beller, also provides the use of a suitable representations of other meaningful data relationships (col.1, lines 8-65). In particular, Beller discloses the claimed “describe an arbitrary structure related to the audiovisual information” (col.22, lines 25-32). It would have been obvious to one having ordinary skill in the art the time the invention was made to combine the teachings of the cited references. One having ordinary skill in the art at would have found it motivated to utilize the teaching of Beller into the system of Seagraves because that provide Seagraves the enhanced capability of describing a non-relational part of a semantic description, whereby the concept of the semantic description is from a group of audiovisual information.

As to claim 5, Seagraves discloses the claimed □Augmenting a description field in at least one of a classification scheme and a dictionary of descriptions to allow description of a term by employing the concept□(col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 6, Seagraves discloses the claimed □constructing a link between the entities as at least one of a classification scheme and a dictionary for storage□(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 7, Seagraves discloses the claimed □logically linking entities within the semantic description to the corresponding properties in the concept□(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61). However, Seagraves does not disclose the claimed features “the properties characterizing semantics of the audiovisual information”.

On the other hand, Beller discloses a hierarchical architecture for building and maximizing the accuracy of predictive models, which is a mathematical structure that simulates human learning by providing advanced non-relational query processing capabilities. Beller discloses the use of auditory visual signals, which identify an entity represented by a datum, such as using a series of words to describe what another datum means. Beller, also provides the use of a suitable representations of other meaningful data relationships (col.1, lines 8-65). In particular, Beller discloses the claimed “the properties characterizing semantics of the audiovisual information”(col.22, lines 25-32). It would have been obvious to one having ordinary skill in the art the time the invention was made to combine the teachings of the cited references. One having



Art Unit: 2172

ordinary skill in the art at would have found it motivated to utilize the teaching of Beller into the system of Seagraves because that provide Seagraves the enhanced capability of describing a non-relational part of a semantic description, whereby the concept of the semantic description is from a group of audiovisual information.

As to claim 8, Seagraves discloses the claimed □controlling instantiation of a term in the semantic description with the concept□(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 9, Seagraves discloses the claimed □wherein a reference to the term retrieves the concept□ (col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61; col.12, lines 30-65).

As to claim 10, Seagraves discloses the claimed □creating links between the entities in accordance with a list of acceptable relationship□(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61; col.12, lines 30-65).

As to claim 11, Seagraves discloses the claimed □wherein the described non-relational elements of the semantic description□(col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claims 12-22 are computer readable medium having executable instruction to perform the method of claims 1-11. They are, therefore, rejected under the same rationale.

*Conclusion*

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

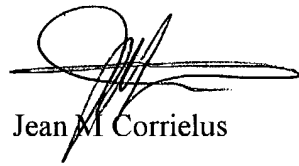
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035. The examiner can normally be reached on Monday - Friday (12:00pm - 7:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2172

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Jean M. Corrielus", is written over the printed name.

Jean M Corrielus

Patent Examiner

August 12, 2004